



**Competitive Carriers Association**  
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July 19, 2013

**Via ECFS**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**RE: PS Docket No. 11-60:** *Reliability and Continuity of Communications Networks, Including Broadband Technologies*

Ms. Dortch,

Competitive Carriers Association (CCA) writes as a follow-up to a recent *ex parte* presentation made by CTIA to the Public Safety & Homeland Security Bureau relate to the above-referenced proceeding.<sup>1</sup> CCA echoes the concerns raised by CTIA and its largest members during that meeting, and presents additional reasons why the Commission should refrain at this time from adopting a Notice of Proposed Rulemaking recommending new reporting requirements previously urged by Consumers Union (CU).<sup>2</sup>

As an initial matter, CCA members, like CTIA members, are committed to ensuring that their networks work at all times—but especially during times of disaster or crisis. Indeed, carriers have market incentives to provide robust, high quality service to their customers in all circumstances. CTIA asked several worthwhile questions during its *ex parte* presentation about the merits of CU's proposal, in particular whether consumers are more interested in knowing where communications services *are* available (versus where they aren't) during outages. Unfortunately, CU's proposed reporting requirements focus on the wrong side of the equation.

In addition to these issues, CCA offers some additional concerns from rural and regional carriers. First, many smaller carriers are leanly staffed, and these staffs are already stressed during times of emergency. Real-time reporting requirements amidst a crisis or disaster would pull away critical employees from recovery efforts. Whatever the benefits may be in developing information on outages and learning from past events, it is hard to imagine that they outweigh the costs of crippling carrier resources available to actually repair and restore communications facilities—especially if less onerous means of obtaining this information are available. Moreover, in CCA's members' experiences it is often-times the local exchange carrier whose facilities contribute to an outage situation. In these instances, the wireless infrastructure itself has not suffered damage, and CU's proposed reporting requirements would

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<sup>1</sup> Letter from Brian M. Josef, Assistant Vice President, Regulatory Affairs, CTIA to Marlene H. Dortch, Secretary, FCC, PS Docket No. 11-60 (filed July 17, 2013).

<sup>2</sup> See Letter from George P. Slover, Senior Policy Counsel, Consumers Union to Chairwoman Mignon Clyburn, et al., PS Docket No. 11-60 (filed July 5, 2013).

therefore fail to paint an accurate (or, at the very least complete) picture of the reliability of a provider's network.

For all of these reasons, CCA believes the more prudent course of action at this time would be for the Commission to adopt a Notice of Inquiry or Public Notice, to develop a more fulsome record on (1) what information consumers find most valuable during outages; (2) what information consumers may be interested in knowing after an outage, once services have been fully restored; (3) whether there are additional data points the Commission should collect to paint a fully accurate picture of network resiliency; (4) what administrative burdens carriers, and in particular rural and regional carriers, would face should the Commission adopt real-time outage reporting requirements on a cell site basis; and (5) how the Commission can maximize the benefits to consumers in seeking information on service outages, while minimizing the impact these requirements would have on vital resources carriers need to repair and restore service to their subscribers.

CCA looks forward to working with the Commission to find the right balance between the Commission's interest in information gathering and preserving carriers' abilities to repair and restore service to American consumers as quickly as possible during times of emergency.

This *ex parte* letter is being filed electronically pursuant to Section 1.1206 of the Commission's Rules. Please contact me with any questions or concerns.

Sincerely,

/s/

Rebecca Murphy Thompson  
General Counsel

cc (via E-mail): Mr. David Turetsky  
Mr. Jeffrey Goldthorp  
Mr. Louis Peraertz  
Ms. Courtney Reinhard  
Mr. David Goldman